

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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RODERICK WISE, an individual,

Case No. 2:15-cv-01219-APG-PAL

Plaintiff,

ORDER GRANTING MOTION IN LIMINE NO. 4 (PRIOR UNRELATED INJURIES)

V.

(ECF No. 82)

SOUTHERN TIER EXPRESS, INC., a New York corporation; DOES I through X; and ROE CORPORATIONS I through X, inclusive,

Defendants.

Plaintiff Roderick Wise seeks to exclude evidence of two specific prior injuries: a finger injury from the 1980s and a knee injury from 2009. ECF No. 82. The defendant admits the finger injury is irrelevant. The defendant admits that the “knee injury has no bearing on medical damages, but does reflect on his earning capacity claim because Plaintiff stated that he was a full-time, self employed truck driver during 2010 rather than an hourly laborer.” ECF No. 100 at 2:22-24. It is unclear how the knee injury would prove Wise was an hourly laborer, and presumably Wise will admit this at trial. If Wise denies he was an hourly laborer during the relevant time period—to the extent that issue is relevant—the defendant may be entitled to explore that testimony with reference to the knee injury. However, I decline to definitively rule on that issue until it becomes ripe at trial, if at all. Therefore, Wise’s motion in limine (**ECF No. 82**) is

DATED this 10th day of July, 2017.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE